

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

Vesta Strategies, LLC,

NO. C 07-06216 JW

Plaintiff,

v.

Robert E. Estupinian, et al.,

Defendant(s).

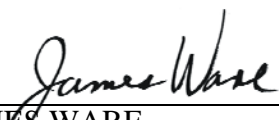
**ORDER GRANTING TEMPORARY  
RESTRAINING ORDER; TO SHOW  
CAUSE WHY ADDITIONAL RELIEF  
SHOULD NOT BE GRANTED;  
GRANTING PLAINTIFF LEAVE TO  
FILE SECOND AMENDED  
COMPLAINT**

Before the Court is Plaintiff's Ex Parte Motion for a Temporary Restraining Order. (See Docket Item No. 4.) Based on the papers submitted to date and for good cause appearing, the Court GRANTS Plaintiff's motion. The Court ENJOINS Robert Estupinian and Ginny Estupinian (the "Estupinians") from transferring, copying, imaging, altering, modifying, deleting or destroying the computer property of Plaintiff Vesta Strategies, LLC, which includes any hard disk drives removed from such computers.

**On December 18, 2007 at 10 AM**, the parties shall appear to show cause why the additional relief requested by Plaintiff should not be granted. The Court ORDERS the Estupinians to deliver the computer property of Plaintiff to this Court at the hearing. The Court also GRANTS Plaintiff's motion for leave to file a Second Amended Complaint. Plaintiff shall file and serve its Second Amended Complaint by **December 18, 2007**.

Plaintiff shall serve this Order and on the Estupinians no later than **December 17, 2007 at 12 noon.**

Dated: December 14, 2007

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Daniel E. Alberti dalberti@mwe.com

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4 **Dated: December 14, 2007**

**Richard W. Wieking, Clerk**

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6 **By: /s/ JW Chambers**

7 **Elizabeth Garcia**  
8 **Courtroom Deputy**  
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